



### AMENDMENT TRANSMITTAL

PATENT

Application No.: 10/634,350  
Filing Date: August 4, 2003  
First Named Inventor John S. Smith, et al.  
Examiner's Name: Wesley D. Markham  
Art Unit: 1762  
Attorney Docket No.: 003424.P007D

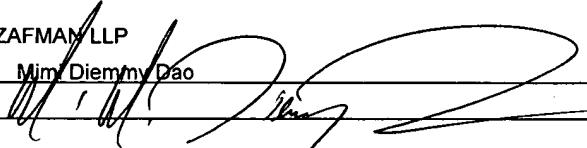
An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.  
 Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.  
 Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.  
 Applicant(s) claim small entity status (37 CFR 1.27).

### ATTACHMENTS

Preliminary Amendment  
 Amendment/Response with respect to Office Action  
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)  
 Notice of Appeal  
 RCE (Request for Continued Examination)  
 Supplemental Declaration  
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)  
 Information Disclosure Statement (IDS) with 1449 form and cited references.  
 Copies of IDS citations  
 Petition for Extension of Time  
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)  
 Cross-Reference to Related Application(s)  
 Certified Copy of Priority Document  
 Other: Response with respect to Restriction Requirement  
 Other: Petition for Extensions of 2-month  
 Check(s) \$450.00  
 Postcard (Return Receipt)

### SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
TYPED OR PRINTED NAME: Mimi Diemmy Dao

SIGNATURE: 

REG. NO.: 45,628

DATE: 8-19-05

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### CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on August 19, 2005

Date of Deposit

Trina Chau

Name of Person Mailing Correspondence

August 19, 2005

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Date

Express Mail Label No. (if applicable):

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## FEE TRANSMITTAL FOR FY 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** \$450.00

Complete if Known:

Application No. 10/634,350  
Filing Date August 4, 2003  
First Named Inventor John S. Smith, et al.  
Examiner Name Wesley D. Markham  
Art Unit 1762  
Attorney Docket No. 003424.P007D

Applicant claims small entity status. See 37 CFR 1.27.

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify)

#### Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1011	300	2011	150
1111	500	2111	250
1311	200	2311	100
		Utility application filing fee	
		Utility search fee	
		Utility examination fee	
			1,000/500
			\$00.00
			\$00.00
			\$00.00
1012	200	2012	100
1112	100	2112	50
1312	130	2312	65
		Design application filing fee	
		Design search fee	
		Design examination fee	
			430/215
			_____
			_____
1013	200	2013	100
1113	300	2113	150
1313	160	2313	80
		Plant filing fee	
		Plant search fee	
		Plant examination fee	
			660/330
			_____
			_____
1004	300	2004	150
1114	500	2114	250
1314	600	2314	300
		Reissue filing fee	
		Reissue search fee	
		Reissue examination fee	
			1,400/700
			_____
			_____
1005	200	2005	100
		Provisional application filing fee	
			_____

**SUBTOTAL (1)** \$ 00.00

**2. EXCESS CLAIM FEES**

<u>Extra Claims</u>				<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	5	- 20 or 37	= 0	X \$50.00	= 00.00
HP = highest number of total claims paid for, if greater than 20					
Independent Claims	1	- 3 or 5	= 0	X \$200.00	= 00.00
HP = highest number of independent claims paid for, if greater than 3					
Multiple Dependent Claims					=
<b>Large Entity</b>	<b>Small Entity</b>				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<b>Fee Description</b>	
1202	50	2202	25	Each claim over 20	
1201	200	2201	100	Each independent claim over 3	
1203	360	2203	180	Multiple dependent claims, if not paid	
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent	
1205	50	2205	25	Reissue: each independent claim more than in the original patent	
<b>SUBTOTAL (2) \$ 00.00</b>					

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____ / 50 = _____ (round up to whole number)		X \$250.00	_____

<b>Large Entity</b>		<b>Small Entity</b>		<b>Fee Description:</b> Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

**SUBTOTAL (3) \$ 00.00**

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fees Paid (\$)</u>
Fee	Fee	
Code	Code	
Fee (\$)	Fee (\$)	
1051	130	2051 65 Surcharge - late filing fee or oath
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130 Non-English specification
1812	2,520	1812 2,520 For filing a request for ex parte reexamination
1813	8,800	1813 8,800 Request for inter parties reexamination
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action
1251	120	2251 60 Extension for reply within first month
1252	450	2252 225 Extension for reply within second month
1253	1,020	2253 510 Extension for reply within third month
1254	1,590	2254 795 Extension for reply within fourth month
1255	2,160	2255 1,080 Extension for reply within fifth month
1401	500	2401 250 Notice of Appeal
1402	500	2402 250 Filing a brief in support of an appeal
1403	1,000	2403 500 Request for oral hearing
1451	1,510	1451 1,510 Petition to institute a public use proceeding
1452	500	2452 250 Petition to revive – unavoidable
1453	1,500	2453 750 Petition to revive - unintentional
1501	1,400	2501 700 Utility issue fee (or reissue)
1502	800	2502 400 Design issue fee
1503	1100	2503 550 Plant issue fee
1462	400	1462 400 Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463 200 Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464 130 Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)
1806	180	1806 180 Submission of Information Disclosure Stmt
8021	40	8021 40 Recording each patent assignment per property (times number of properties)
1809	790	2809 395 For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814 65 Statutory Disclaimer
1810	790	2810 395 For each additional invention to be examined (see 37 CFR 1.129(b))
1801	790	2801 395 Request for Continued Examination (RCE)
1802	900	1802 900 Request for expedited examination of a design application
1504	300	1504 300 Publication fee for early, voluntary, or normal pub.
1505	300	1505 300 Publication fee for republication
1803	130	1803 130 Request for voluntary publication or republication
1808	130	1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,370	1454 1,370 Acceptance of unintentionally delayed claim for priority

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (4) \$ 450.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Mimi Diemmy DaoSignature: [Signature] Date: August 19, 2005Reg. Number: 45,628 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450